



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

November 10, 2011

Irwin Kushner  
Herman Kushner Trust  
252 Convention Center Drive, Ste 12A  
Las Vegas, NV 89109

Maryland Square Shopping Center, LLC  
c/o Tim Swickard  
Dongell Lawrence Finney LLP  
770 L St., Suite 950  
Sacramento, CA 95814

**Subject: Letter Proposal Requesting Changes to the Groundwater Monitoring Program, Maryland Square PCE Site**

**Facility:** Al Phillips the Cleaner (former)  
3661 S. Maryland Parkway  
Las Vegas, Nevada  
Facility ID: **H-000086**

Dear Mr. Swickard and Mr. Kushner:

The Nevada Division of Environmental Protection (NDEP) received a letter (dated November 4, 2011), prepared and submitted by Tetra Tech on your behalf. The letter requests a modification to the current groundwater monitoring schedule.

## **NDEP Comments on November 4, 2011 Proposal Letter**

In response to the proposal to modify the sampling and reporting frequency, the NDEP proposes the following:

- Semi-annual reporting, with reports following the current format of the quarterly reports
- Semi-annual sampling of those wells as proposed in the November 4, 2011 letter (includes wells MW-1, MW-2, MW-5, MW-6, MW-9, MW-13, MW-14, MW-17, MW-18, MW-19, MW-20, MW-23, MW-25, MW-26, MW-27, MW-30, MW-31, and MW-32)
- Annual sampling of wells MW-1 through MW-33 (with well MW-4 to be properly abandoned)
- Quarterly sampling of wells that show trends of increasing concentrations (currently includes wells MW-5, MW-6, and MW-27). These data are to be submitted as a letter report consisting of a cover letter, summary table and the analytical data sheets (for those quarters without a semi-annual report submittal).



These modifications will allow resources to focus on the groundwater remedy. However, keep in mind that future modifications to the monitoring program may be needed following installation of the remedial system or treatment. The NDEP may require modifications to the sampling frequency at any time if there are any changes in site conditions.

### NDEP Requirements

The groundwater monitoring report for the fourth quarter of 2011 is due by **January 30, 2012**.

The semi-annual reports will be due on the following schedule:

- First Semi-Annual Groundwater Monitoring Report for 2012 is due by **July 30, 2012**
- Second Semi-Annual Groundwater Monitoring Report for 2012 is due by **January 30, 2013**

Letter reports for those wells showing a trend of increasing PCE concentrations (currently, this includes wells MW-5, MW-6, and MW-27) are due **April 30, 2012** and **September 28, 2012**.

Also, please note that the revised Community Involvement Plan is due by **November 15, 2011**.

If you have any questions or require additional information regarding this letter, contact me by telephone at (775) 687-9496 or e-mail at [msiders@ndep.nv.gov](mailto:msiders@ndep.nv.gov).

Sincerely,



Mary A. Siders, Ph.D.  
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